

To whom it may concern:

I am upset to hear about the National Association of Broadcasters petition 04-160 which attempts to do away with XM Radio's instant Weather and traffic. This seems to be an attempt by the NAB to quash the competition rather than improve their services and foster a competitive environment. Our economy is based on competition. It is, as they say, "The American Way." It seems that the NAB does not subscribe to this point of view and is attempting to take a position of "if you can't beat 'em, (ab)use the political system to defeat them."

I believe that in these days of large broadcasters consuming small ones and homogenizing the broadcast environment out there, XM Radio and Sirius (it's competitor) are the only alternatives. The FCC should be fostering this competition rather than entertaining the idea of destroying it.

Here in the Atlanta area we do not yet have the instant traffic and weather. I have been waiting for it since it was first introduced. Every day I drive home in what is one of the worst rush hours in the nation, tuning in XM 227 to see if the Instant Traffic and weather for Atlanta is broadcasting yet. I end up having to listen to the local radio, which puts a 20 second, incomplete, traffic analysis in between commercials. If I miss it, I have to wait longer to hear it. Then I hear it and it is not even for the direction or section of the (MAJOR) highway that I am travelling on! I have to wait longer and longer to hear what traffic in my direction is doing, and by that time, it is too late. I am stuck in gridlock. With XM's Instant traffic I have to wait only a few seconds (I have listened to the broadcasts for the Washington DC area where I grew up to get a taste of what it will be like when we finally get it in Atlanta) to get the traffic. After that is over, I can either listen to an XM station, or tune back into the LOCAL AM talk radio that I usually listen to on my way home. In fact, by allowing XM to broadcast the local traffic and getting it instantly, I will probably end up spending MORE of my time listening to my local station rather than flipping between many stations just to try to catch a traffic report!

Furthermore, XM Radio is a PAY service, much like cable. I am not listening to the "public airwaves", I am listening to a radio that is a PAY FOR SUBSCRIPTION service. Does the Weather Channel on cable keep people from watching their local news station? No, it does not! Allowing satellite radio to broadcast instant traffic will NOT keep me away from listening to my local drive-time radio programs! In fact, it will allow me to listen to them MORE!

Please do not limit XM (or any other) radio's ability to broadcast local content. It is not the danger to the NAB that they believe it is.

Thanks you,

Alexander Filacchione